

Notice of Allowability

Application No.

10/044,021

Examiner

Ronald Laneau

Applicant(s)

HAULK ET AL.

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/5/06.
2. ☒ The allowed claim(s) is/are 13-16 and 18-22 now renumbered as 1-9.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Ronald Laneau

Ronald Laneau
Primary Examiner
Art Unit: 3714

1/29/07

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul Martin on 1/25/07.

The application has been amended as follows:

In claim 13, line 10, delete "and" and insert:

-- (b) creating a third data image including a third table with only said number of registers and corresponding planned contents by the ESL manager program;

(c) sending the third data image to a CBS manager program; and --

In line 11, delete (b) and insert (d),

In line 13, after "contents", insert -- from the third data image by the CBS manager program --

Cancel claims 17 and 23

In claim 19, line 12, delete "and" and insert -- for creating a third data image including a third table with only said number of registers and corresponding planned contents, --

In claim 19, line 13, before "updating", insert -- for --

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In claim 19, line 14, before "corresponding", insert -- the -- and after "contents", insert --
from the third data image --

Reasons for Allowance

2. Claims 13-16 and 18-22 are allowed now renumbered as 1-9.

The following is an examiner's statement of reasons for allowance:

None of the references, either singularly or in combination, discloses:

As per claims 13-16, (b) a computerized method of performing a delta update of an electronic shelf label (ESL) comprising: creating a third data image including a third table with only said number of registers and corresponding planned contents by the ESL manager program; (c) sending the third data image to a CBS manager program.

As per claim 18, (e) a computerized method of performing a delta update of an electronic shelf label (ESL) comprising: creating a third data image including a third table with only said number of registers and corresponding planned contents by the ESL manager program; (f) sending the third data image to a CBS manager program for transmission to the ESL by the ESL manager program.

As per claims 19-22, an electronic shelf label (ESL) system comprising: a host computer for creating a third data image including a third table with only said number of registers and corresponding planned contents, for scheduling a message for transmission to the ESL for updating only the number of said registers to include the corresponding planned contents from the third data image.

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3. The closest prior art, Brick et al (US 6,269,342 B1) discloses an electronic pricing and display system using programmable electronic shelf tags that are used in connection with apparatus for programming the electronic shelf tags wherein the pricing and product information is stored in databases of a computer system for such purposes as inventory control and updating pricing information, fails to disclose the above claimed features.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

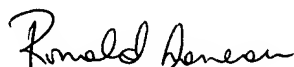
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (571) 272-6784. The examiner can normally be reached on 7:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ronald Laneau
Primary Examiner
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1/29/07

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